

**U.S. Department of the Interior
Bureau of Land Management
Kremmling Field Office
P.O. Box 68
Kremmling, CO 80459**

CATEGORICAL EXCLUSION

NUMBER: CO-120-2007-45-CX

PROJECT NAME: Annual Fourth of July Fireworks

LEGAL DESCRIPTION: T. 1 N., R. 80 W., Section 7 & 8

APPLICANT: Town of Kremmling

DESCRIPTION OF PROPOSED ACTION: The Town of Kremmling is proposing to host its annual firework display on the Fourth of July. The proposed location of the fireworks display is located on top of the cliffs overlooking Kremmling on BLM-administered public lands. The proposed location would be accessed from existing routes. See Attachment #1 for project map.

The BLM Kremmling Field Office (KFO) is proposing to co-sponsor the fireworks event. A letter of Agreement between the KFO and Town of Kremmling Fire Department is included as Attachment #2. The BLM would sign a temporary closure along CR227 within the NE1/4 NE1/4 of Sec.7 on the day of the event from 7:00 AM to 12:00 AM to provide for public safety.

The displays would be monitored by the Kremmling Fire Department from on top of the cliffs and at the base for quick response to any fire ignition (See Attachment #3 for the Operating Plan).

If a fire ban or restriction is in effect, the BLM would determine if the fireworks display would be allowed under such restriction or ban and notify the Town of Kremmling and the Kremmling Fire Department.

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5, BLM 1617.3) the following plan:

Name of Plan: Kremmling Resource Management Plan (RMP), Record of Decision (ROD)

Date Approved: December 19, 1984; Updated February 1999

Decision Language: Objective: To ensure the continued availability of outdoor recreational opportunities which the public seeks and which are not readily available from other sources, to reduce the impacts of recreational use on fragile and unique resource values, and to provide for visitor safety, and resource protection.

CATEGORICAL EXCLUSION REVIEW: The Proposed Action qualifies as a categorical exclusion under 516 DM 6, Appendix 5.4, Number: H. (5) “Issuance of special recreation permits to individuals or organized groups for search and rescue training, orienteering or similar activities and for dog trials, endurance horse races or similar minor events.” None of the following extraordinary circumstances in 516 DM 2, Appendix 2, apply.

Extraordinary Circumstances	Yes	No
2.1 Have significant impacts on public health or safety		X
2.2 Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.		X
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)].		X
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
2.7 Have significant impacts on properties listed, or eligible for listing, on the National Register of historic Places as determined by either the bureau or office.		X
2.8 Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		X
2.9 Violate a Federal Law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		X
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
2.11 Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly		X

adversely affect the physical integrity of such sacred sites (Executive Order 13007).		
2.12 Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).		X

INTERDISCIPLINARY REVIEW:

Name	Title	Area of Responsibility	Date Review Completed
John Monkouski	Outdoor Recreation Planner	Recreation, Wilderness	6/19/07
Joe Stout	Planning and Environmental Coordinator	NEPA Review/Compliance	7/2/07
Megan McGuire	Wildlife Biologist	Threatened/Endangered Species	6/22/07
Frank Rupp	Archaeologist	Cultural, Native American Religious Concerns	6/21/07
Paula Belcher	Hydrologist	Soil, Water, Air, and Riparian/Wetland Resources	6/27/07

REMARKS:

Cultural Resources: A Class III Cultural Resources Inventory has been completed for the staging area on top of the Kremmling Cliffs. A very large cultural site is located on the cliffs, but the area where the fireworks are staged is highly disturbed from past firework displays, other town events and general public recreational use. The large cultural site is evaluated as needing additional data in order to make a National Register of Historic Places eligibility determination, however the fireworks staging area is evaluated as non-contributing to site eligibility.

Native American Religious Concerns: The Native American Tribes have not been consulted for this project due to the limited surface disturbance. However, there are no known Native American burials, religious, sacred or traditional use areas within the Area of Potential Effect.

Threatened and Endangered Species: There would be no impacts to threatened or endangered species.

Riparian Zones: Most of the Muddy Creek and riparian areas below the cliffs are on private lands, with the BLM lands just upstream. Monitoring of sparks and possible ignitions should be confined to existing roads and trails as much as possible to reduce impacts to the riparian zone.

COMPLIANCE PLAN: See Attachment #2 and Attachment #3 (Operating Plan)

NAME OF PREPARER: John Monkouski, Outdoor Recreation Planner

NAME OF ENVIRONMENTAL COORDINATOR: Joe Stout

DATE: 7/2/07

ATTACHMENTS:

1. Map of Project Area
2. Letter of Agreement
3. Operating Plan: Incident Objectives/Assignment List

DECISION AND RATIONALE: I have reviewed this CER and have decided to implement the proposed action.

This action is listed in the Department Manual as an action that may be categorically excluded. I have evaluated the action relative to the 12 criteria listed above and have determined that it does not represent an extraordinary circumstance and is, therefore, categorically excluded from further environmental analysis.

SIGNATURE OF AUTHORIZED OFFICIAL: /s/ Dave Stout

DATE SIGNED: 7/3/07